



UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA
WESTERN DIVISION
312 North Spring Street, Room G-8
Los Angeles, CA 90012
Tel: (213) 894-3535

SOUTHERN DIVISION
411 West Fourth Street, Suite 1053
Santa Ana, CA 92701-4516
(714) 338-4750

WESTERN DIVISION
411 West Fourth Street, Room 134
Riverside, CA 92501
(951) 328-4450

Date: 8/18/11

11 CRIM 666

TERRY NAFISI
District Court Executive and
Clerk of Court

Southern District Of New York
300 Pearl Street Room 120

New York, NY 10007-1312

Transfer of Criminal Case or Magistrate Case

Case No. CR 11-766 Case Title: USA V Hector Xavier Monsegur

Dear Sir/Madam:

Pursuant to F.R.C.R.P. 5:

- Certified copy of case file documents (Filed prior to January 1, 2007**) and docket sheet
- This is an electronically filed case and the documents are available through pacer
- Not for public view document (pursuant to Judicial Conference policy)
- Original Bond or Original Bond to be forwarded by Fiscal
- Original Passport or Declaration re: Passport
- Original Passport (received on or after 1-1-07) will be transferred by Pretrial Services
- Other SEALED CASE - ALL DOCUMENTS INCLUDED

Pursuant to F.R.C.R.P. 20 / F.R.C.R.P. 21:

- This is an electronically filed case and the document are available through pacer.
- Certified copy of docket sheet
- Certified copy of Indictment / Information** Original Consent of defendant
- Original Passport or Declaration re: Passport
- Original Passport (received on or after 1-1-07) will be transferred by Pretrial Services
- Not for public view document (pursuant to Judicial Conference policy)
- Other SEALED CASE - ALL DOCUMENTS INCLUDED

****Note: Documents filed on or after January 1, 2007 are available electronically through PACER.**

Electronically filed documents can be retrieved by using your court's pacer account .

Sincerely,

Clerk, U.S. District Court

By monica_s_hernandez@cacd.uscourts.gov
Deputy Clerk

cc: U.S. Attorney -Central District of California and Receiving District, Pretrial Services

TO BE COMPLETED BY RECEIVING DISTRICT

Please acknowledge receipt via e-mail to the appropriate address listed below and provide the case number:

- CrimIntakeCourtDocs-LA@cacd.uscourts.gov (Los Angeles Offices)
- CrimIntakeCourtDocs-RS@cacd.uscourts.gov (Riverside Office)
- CrimIntakeCourtDocs-SA@cacd.uscourts.gov (Santa Ana Office)

Case No: _____

Clerk, U.S. District Court

Date _____

By: _____
Deputy Clerk

ISDCS SDNY	DOCUMENT	ELECTRONICALLY FILED
DOC #:	DATE FILED 8/26/11	

CLOSED, SEALED

**UNITED STATES DISTRICT COURT, CENTRAL DISTRICT OF CALIFORNIA
(Western Division - Los Angeles)
CRIMINAL DOCKET FOR CASE #: 2:11-cr-00766-URC All Defendants
SEALED
Internal Use Only**

Case title: USA v. Monsegur

Date Filed: 08/10/2011

Date Terminated: 08/10/2011

Assigned to: Judge CVRecovery Case
CRStatistics Unassigned

Defendant (1)

Hector Xavier Monsegur
TERMINATED: 08/10/2011

Pending Counts

None

Disposition

Highest Offense Level (Opening)

None

Disposition

Terminated Counts

18:1030(a)(5)(A),(c)(4)(B)(i), and 2:
UNAUTHORIZED IMPAIRMENT OF
A PROTECTED COMPUTER,
AIDING AND ABETTING
(1-2)

Consent to transfer case to the Southern
District of New York at New York

Highest Offense Level (Terminated)

Felony

Disposition

Complaints

None

Plaintiff

USA

represented by **Stephanie S Christensen**

AUSA - US Attorney's Office

Criminal Division - United States
Courthouse312 North Spring Street 12th Floor
Los Angeles, CA 90012

213-894-3756

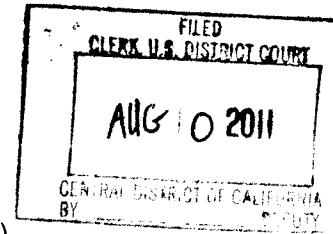
Fax: 213-894-0142

Email: stephanie.christensen@usdoj.gov

ATTORNEY TO BE NOTICED

Date Filed	#	Docket Text
08/10/2011	1	INFORMATION filed as to Hector Xavier Monsegur (1) count(s) 1-2. Offense occurred in OD. (mhe) (Entered: 08/17/2011)
08/10/2011	2	CASE SUMMARY filed by AUSA Stephanie S Christensen as to Defendant Hector Xavier Monsegur; defendants Year of Birth: 1983 (mhe) (Entered: 08/17/2011)
08/10/2011	3	EX PARTE APPLICATION to Seal Case Filed by Plaintiff USA as to Defendant Hector Xavier Monsegur(mhe) (Entered: 08/17/2011)
08/10/2011	4	ORDER by Judge Jacqueline H. Nguyen: granting <u>3</u> Ex Parte Application to Seal Case as to Hector Xavier Monsegur (1) (mhe) (Entered: 08/17/2011)
08/10/2011	5	MEMORANDUM filed by Plaintiff USA as to Defendant Hector Xavier Monsegur.Re Magistrate Judge Jacqueline Chooljian, Magistrate Judge Patrick J. Walsh, Magistrate Judge Sheri Pym, Magistrate Judge Michael Wilner(mhe) (Entered: 08/17/2011)
08/10/2011	6	MEMORANDUM filed by Plaintiff USA as to Defendant Hector Xavier Monsegur. Re: law clerk for Judge Gary A Feess (mhe) (Entered: 08/17/2011)
08/10/2011	7	SEALED DOCUMENT filed by Plaintiff USA as to Defendant Hector Xavier Monsegur (mhe) (Entered: 08/17/2011)
08/10/2011		(Court only) ****Judge CVRecovery Case CRStatistics Unassigned added. Judge Unassigned no longer assigned to case as to Defendant Hector Xavier Monsegur. (mhe) (Entered: 08/18/2011)
08/10/2011	8	CONSENT TO TRANSFER JURISDICTION (Rule 20) to Southern District of New York. Counts closed as to Hector Xavier Monsegur (1) Count 1-2. (mhe) (Additional attachment(s) added on 8/18/2011: # <u>1</u> CR-48) (mhe). (Entered: 08/18/2011)
08/10/2011		(Court only) ***Magistrate Case Terminated (mhe) (Entered: 08/18/2011)

1 ANDRÉ BIROTTÉ JR.
2 United States Attorney
3 ROBERT E. DUGDALE
4 Assistant United States Attorney
5 Chief, Criminal Division
6 STEPHANIE S. CHRISTENSEN (Cal. Bar No. 236653)
7 ERIC D. VANDEVELDE (Cal. Bar No. 240699)
8 Assistant United States Attorneys
9 Cyber & Intellectual Property Crimes Section
10 1200 United States Courthouse
11 312 North Spring Street
12 Los Angeles, California 90012
13 Telephone: (213) 894-2576/3756
14 Facsimile: (213) 894-0141
15 E-mail: stephanie.christensen@usdoj.gov
16 eric.vandeveld@usdoj.gov



10 Attorneys for Plaintiff
11 UNITED STATES OF AMERICA

12 UNITED STATES DISTRICT COURT

13 FOR THE CENTRAL DISTRICT OF CALIFORNIA

14 UNITED STATES OF AMERICA,) No. CR 11- CR11 0766

15 Plaintiff,) CRIMINAL FILING

16 v.) [UNDER SEAL]

17 UNDER SEAL,)

18 Defendant.)

19
20
21
22
23
24
25
26
27
28
UNDER SEAL

1 ANDRÉ BIROTTÉ JR.
2 United States Attorney
3 ROBERT E. DUGDALE
4 Assistant United States Attorney
5 Chief, Criminal Division
6 STEPHANIE S. CHRISTENSEN (Cal. Bar No. 236653)
7 ERIC D. VANDEVELDE (Cal. Bar No. 240699)
8 Assistant United States Attorneys
9 Cyber & Intellectual Property Crimes Section
10 1200 United States Courthouse
11 312 North Spring Street
12 Los Angeles, California 90012
13 Telephone: (213) 894-2576/3756
14 Facsimile: (213) 894-0141
15 E-mail: stephanie.christensen@usdoj.gov
16 eric.vandeveld@usdoj.gov

17 Attorneys for Plaintiff
18 UNITED STATES OF AMERICA

19 UNITED STATES DISTRICT COURT

20 FOR THE CENTRAL DISTRICT OF CALIFORNIA

21 UNITED STATES OF AMERICA,) No. CR 11-_____
22 Plaintiff,)
23 v.)
24 HECTOR XAVIER MONSEGUR,)
25 aka "Sabu,")
26 aka "Xavier DeLeon,")
27 aka "Leon,")
28 Defendant.)
29 _____)
30)
31)
32)
33)
34)
35)
36)
37)
38)
39)
40)
41)
42)
43)
44)
45)
46)
47)
48)
49)
50)
51)
52)
53)
54)
55)
56)
57)
58)
59)
60)
61)
62)
63)
64)
65)
66)
67)
68)
69)
70)
71)
72)
73)
74)
75)
76)
77)
78)
79)
80)
81)
82)
83)
84)
85)
86)
87)
88)
89)
90)
91)
92)
93)
94)
95)
96)
97)
98)
99)
100)
101)
102)
103)
104)
105)
106)
107)
108)
109)
110)
111)
112)
113)
114)
115)
116)
117)
118)
119)
120)
121)
122)
123)
124)
125)
126)
127)
128)
129)
130)
131)
132)
133)
134)
135)
136)
137)
138)
139)
140)
141)
142)
143)
144)
145)
146)
147)
148)
149)
150)
151)
152)
153)
154)
155)
156)
157)
158)
159)
160)
161)
162)
163)
164)
165)
166)
167)
168)
169)
170)
171)
172)
173)
174)
175)
176)
177)
178)
179)
180)
181)
182)
183)
184)
185)
186)
187)
188)
189)
190)
191)
192)
193)
194)
195)
196)
197)
198)
199)
200)
201)
202)
203)
204)
205)
206)
207)
208)
209)
210)
211)
212)
213)
214)
215)
216)
217)
218)
219)
220)
221)
222)
223)
224)
225)
226)
227)
228)
229)
230)
231)
232)
233)
234)
235)
236)
237)
238)
239)
240)
241)
242)
243)
244)
245)
246)
247)
248)
249)
250)
251)
252)
253)
254)
255)
256)
257)
258)
259)
260)
261)
262)
263)
264)
265)
266)
267)
268)
269)
270)
271)
272)
273)
274)
275)
276)
277)
278)
279)
280)
281)
282)
283)
284)
285)
286)
287)
288)
289)
290)
291)
292)
293)
294)
295)
296)
297)
298)
299)
300)
301)
302)
303)
304)
305)
306)
307)
308)
309)
310)
311)
312)
313)
314)
315)
316)
317)
318)
319)
320)
321)
322)
323)
324)
325)
326)
327)
328)
329)
330)
331)
332)
333)
334)
335)
336)
337)
338)
339)
340)
341)
342)
343)
344)
345)
346)
347)
348)
349)
350)
351)
352)
353)
354)
355)
356)
357)
358)
359)
360)
361)
362)
363)
364)
365)
366)
367)
368)
369)
370)
371)
372)
373)
374)
375)
376)
377)
378)
379)
380)
381)
382)
383)
384)
385)
386)
387)
388)
389)
390)
391)
392)
393)
394)
395)
396)
397)
398)
399)
400)
401)
402)
403)
404)
405)
406)
407)
408)
409)
410)
411)
412)
413)
414)
415)
416)
417)
418)
419)
420)
421)
422)
423)
424)
425)
426)
427)
428)
429)
430)
431)
432)
433)
434)
435)
436)
437)
438)
439)
440)
441)
442)
443)
444)
445)
446)
447)
448)
449)
450)
451)
452)
453)
454)
455)
456)
457)
458)
459)
460)
461)
462)
463)
464)
465)
466)
467)
468)
469)
470)
471)
472)
473)
474)
475)
476)
477)
478)
479)
480)
481)
482)
483)
484)
485)
486)
487)
488)
489)
490)
491)
492)
493)
494)
495)
496)
497)
498)
499)
500)
501)
502)
503)
504)
505)
506)
507)
508)
509)
510)
511)
512)
513)
514)
515)
516)
517)
518)
519)
520)
521)
522)
523)
524)
525)
526)
527)
528)
529)
530)
531)
532)
533)
534)
535)
536)
537)
538)
539)
540)
541)
542)
543)
544)
545)
546)
547)
548)
549)
550)
551)
552)
553)
554)
555)
556)
557)
558)
559)
560)
561)
562)
563)
564)
565)
566)
567)
568)
569)
570)
571)
572)
573)
574)
575)
576)
577)
578)
579)
580)
581)
582)
583)
584)
585)
586)
587)
588)
589)
590)
591)
592)
593)
594)
595)
596)
597)
598)
599)
600)
601)
602)
603)
604)
605)
606)
607)
608)
609)
610)
611)
612)
613)
614)
615)
616)
617)
618)
619)
620)
621)
622)
623)
624)
625)
626)
627)
628)
629)
630)
631)
632)
633)
634)
635)
636)
637)
638)
639)
640)
641)
642)
643)
644)
645)
646)
647)
648)
649)
650)
651)
652)
653)
654)
655)
656)
657)
658)
659)
660)
661)
662)
663)
664)
665)
666)
667)
668)
669)
670)
671)
672)
673)
674)
675)
676)
677)
678)
679)
680)
681)
682)
683)
684)
685)
686)
687)
688)
689)
690)
691)
692)
693)
694)
695)
696)
697)
698)
699)
700)
701)
702)
703)
704)
705)
706)
707)
708)
709)
710)
711)
712)
713)
714)
715)
716)
717)
718)
719)
720)
721)
722)
723)
724)
725)
726)
727)
728)
729)
730)
731)
732)
733)
734)
735)
736)
737)
738)
739)
740)
741)
742)
743)
744)
745)
746)
747)
748)
749)
750)
751)
752)
753)
754)
755)
756)
757)
758)
759)
760)
761)
762)
763)
764)
765)
766)
767)
768)
769)
770)
771)
772)
773)
774)
775)
776)
777)
778)
779)
780)
781)
782)
783)
784)
785)
786)
787)
788)
789)
790)
791)
792)
793)
794)
795)
796)
797)
798)
799)
800)
801)
802)
803)
804)
805)
806)
807)
808)
809)
810)
811)
812)
813)
814)
815)
816)
817)
818)
819)
820)
821)
822)
823)
824)
825)
826)
827)
828)
829)
830)
831)
832)
833)
834)
835)
836)
837)
838)
839)
840)
841)
842)
843)
844)
845)
846)
847)
848)
849)
850)
851)
852)
853)
854)
855)
856)
857)
858)
859)
860)
861)
862)
863)
864)
865)
866)
867)
868)
869)
870)
871)
872)
873)
874)
875)
876)
877)
878)
879)
880)
881)
882)
883)
884)
885)
886)
887)
888)
889)
890)
891)
892)
893)
894)
895)
896)
897)
898)
899)
900)
901)
902)
903)
904)
905)
906)
907)
908)
909)
910)
911)
912)
913)
914)
915)
916)
917)
918)
919)
920)
921)
922)
923)
924)
925)
926)
927)
928)
929)
930)
931)
932)
933)
934)
935)
936)
937)
938)
939)
940)
941)
942)
943)
944)
945)
946)
947)
948)
949)
950)
951)
952)
953)
954)
955)
956)
957)
958)
959)
960)
961)
962)
963)
964)
965)
966)
967)
968)
969)
970)
971)
972)
973)
974)
975)
976)
977)
978)
979)
980)
981)
982)
983)
984)
985)
986)
987)
988)
989)
990)
991)
992)
993)
994)
995)
996)
997)
998)
999)
1000)
1001)
1002)
1003)
1004)
1005)
1006)
1007)
1008)
1009)
1010)
1011)
1012)
1013)
1014)
1015)
1016)
1017)
1018)
1019)
1020)
1021)
1022)
1023)
1024)
1025)
1026)
1027)
1028)
1029)
1030)
1031)
1032)
1033)
1034)
1035)
1036)
1037)
1038)
1039)
1040)
1041)
1042)
1043)
1044)
1045)
1046)
1047)
1048)
1049)
1050)
1051)
1052)
1053)
1054)
1055)
1056)
1057)
1058)
1059)
1060)
1061)
1062)
1063)
1064)
1065)
1066)
1067)
1068)
1069)
1070)
1071)
1072)
1073)
1074)
1075)
1076)
1077)
1078)
1079)
1080)
1081)
1082)
1083)
1084)
1085)
1086)
1087)
1088)
1089)
1090)
1091)
1092)
1093)
1094)
1095)
1096)
1097)
1098)
1099)
1100)
1101)
1102)
1103)
1104)
1105)
1106)
1107)
1108)
1109)
1110)
1111)
1112)
1113)
1114)
1115)
1116)
1117)
1118)
1119)
1120)
1121)
1122)
1123)
1124)
1125)
1126)
1127)
1128)
1129)
1130)
1131)
1132)
1133)
1134)
1135)
1136)
1137)
1138)
1139)
1140)
1141)
1142)
1143)
1144)
1145)
1146)
1147)
1148)
1149)
1150)
1151)
1152)
1153)
1154)
1155)
1156)
1157)
1158)
1159)
1160)
1161)
1162)
1163)
1164)
1165)
1166)
1167)
1168)
1169)
1170)
1171)
1172)
1173)
1174)
1175)
1176)
1177)
1178)
1179)
1180)
1181)
1182)
1183)
1184)
1185)
1186)
1187)
1188)
1189)
1190)
1191)
1192)
1193)
1194)
1195)
1196)
1197)
1198)
1199)
1200)
1201)
1202)
1203)
1204)
1205)
1206)
1207)
1208)
1209)
1210)
1211)
1212)
1213)
1214)
1215)
1216)
1217)
1218)
1219)
1220)
1221)
1222)
1223)
1224)
1225)
1226)
1227)
1228)
1229)
1230)
1231)
1232)
1233)
1234)
1235)
1236)
1237)
1238)
1239)
1240)
1241)
1242)
1243)
1244)
1245)
1246)
1247)
1248)
1249)
1250)
1251)
1252)
1253)
1254)
1255)
1256)
1257)
1258)
1259)
1260)
1261)
1262)
1263)
1264)
1265)
1266)
1267)
1268)
1269)
1270)
1271)
1272)
1273)
1274)
1275)
1276)
1277)
1278)
1279)
1280)
1281)
1282)
1283)
1284)
1285)
1286)
1287)
1288)
1289)
1290)
1291)
1292)
1293)
1294)
1295)
1296)
1297)
1298)
1299)
1300)
1301)
1302)
1303)
1304)
1305)
1306)
1307)
1308)
1309)
1310)
1311)
1312)
1313)
1314)
1315)
1316)
1317)
1318)
1319)
1320)
1321)
1322)
1323)
1324)
1325)
1326)
1327)
1328)
1329)
1330)
1331)
1332)
1333)
1334)
1335)
1336)
1337)
1338)
1339)
1340)
1341)
1342)
1343)
1344)
1345)
1346)
1347)
1348)
1349)
1350)
1351)
1352)
1353)
1354)
1355)
1356)
1357)
1358)
1359)
1360)
1361)
1362)
1363)
1364)
1365)
1366)
1367)
1368)
1369)
1370)
1371)
1372)
1373)
1374)
1375)
1376)
1377)
1378)
1379)
1380)
1381)
1382)
1383)
1384)
1385)
1386)
1387)
1388)
1389)
1390)
1391)
1392)
1393)
1394)
1395)
1396)
1397)
1398)
1399)
1400)
1401)
1402)
1403)
1404)
1405)
1406)
1407)
1408)
1409)
1410)
1411)
1412)
1413)
1414)
1415)
1416)
1417)
1418)
1419)
1420)
1421)
1422)
1423)
1424)
1425)
1426)
1427)
1428)
1429)
1430)
1431)
1432)
1433)
1434)
1435)
1436)
1437)
1438)
1439)
1440)
1441)
1442)
1443)
1444)
1445)
1446)
1447)
1448)
1449)
1450)
1451)
1452)
1453)
1454)
1455)
1456)
1457)
1458)
1459)
1460)
1461)
1462)
1463)
1464)
1465)
1466)
1467)
1468)
1469)
1470)
1471)
1472)
1473)
1474)
1475)
1476)
1477)
1478)
1479)
1480)
1481)
1482)
1483)
1484)
1485)
1486)
1487)
1488)
1489)
1490)
1491)
1492)
1493)
1494)
1495)
1496)
1497)
1498)
1499)
1500)
1501)
1502)
1503)
1504)
1505)
1506)
1507)
1508)
1509)

1 information and related documents filed concurrently herewith.

2 Dated: August 4, 2011 Respectfully submitted,

3 ANDRÉ BIROTE JR.
United States Attorney

4 ROBERT E. DUGDALE
5 Assistant United States Attorney
Chief, Criminal Division

6
7 STEPHANIE S. CHRISTENSEN
8 ERIC D. VANDEVELDE
9 Assistant United States Attorneys

10 Attorneys for Plaintiff
UNITED STATES OF AMERICA

DECLARATION OF STEPHANIE S. CHRISTENSEN

I, Stephanie S. Christensen, hereby declare and state as follows:

1. I am an Assistant United States Attorney in the United States Attorney's Office for the Central District of California. I represent the government in the prosecution of United States v. Hector Xavier Monsegur.

8 2. Defendant Hector Xavier Monsegur ("defendant") was
9 arrested in the Southern District of New York ("SDNY") on or
10 about June 7, 2011. Defendant has admitted his involvement in
11 unauthorized computer intrusions or "hacks" into various computer
12 networks of several well-known corporations, has provided
13 detailed information regarding the involvement of others in such
14 hacks, is actively cooperating with the government, and has
15 indicated an intent to continue working proactively with the
16 government.

17 3. Defendant intends to plead guilty to charges arising
18 out of a number of districts, specifically, SDNY, the Central
19 District of California ("CDCA"), the Eastern District of
20 California ("EDCA"), the Eastern District of Virginia ("EDVA"),
21 and the Northern District of Georgia ("NDGA"). Pursuant to the
22 agreement between defendant and these districts, each of the
23 districts will file an information, all charges arising out of
24 CDCA, EDCA, EDVA, and NDGA will be transferred to SDNY via
25 Federal Rule of Criminal Procedure 20, and defendant will plead
26 guilty to all charges in SDNY.

27 4. To that end, on August 5, 2011, defendant appeared
28 before a judge in SDNY and executed a waiver of indictment,

1 attached hereto as Exhibit A, as to all the charges arising out
2 of all of the districts. As set forth in the waiver of
3 indictment, defendant also waived the right to a personal
4 appearance in CDCA, EDCA, EDVA, and NDGA. Defendant also
5 executed paperwork pursuant to Rule 20, consenting to the
6 transfer of all charges to SDNY.

7 I declare under penalty of perjury that the foregoing is
8 true and correct to the best of my knowledge and belief.

9 Executed this August 4, 2011, at Los Angeles, California.

10
11
12 STEPHANIE S. CHRISTENSEN
13 Assistant United States Attorney
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

EXHIBIT A

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

- - - - - x

UNITED STATES OF AMERICA : WAIVER OF INDICTMENT

- v. - : -

HECTOR XAVIER MONSEGUR, : -

a/k/a "Sabu," : -

a/k/a "Xavier DeLeon," : -

a/k/a "Leon," : -

Defendant.

11 Crim 666

- - - - - x

HECTOR XAVIER MONSEGUR, a/k/a "Sabu," a/k/a "Xavier DeLeon," a/k/a "Leon," the defendant, who is accused of violating:

1. In the Southern District of New York, Title 18, United States Code, Sections 1030(b), 1030(a)(5)(A), 1030(a)(4), 1030(c)(4)(B)(i), 1030(c)(3)(A), 1029(b)(2), 1349, 1028A, and 2;

2. In the Eastern District of California, Title 18, United States Code Sections 1030(a)(5)(A), 1030(c)(4)(B)(i), and 2;

3. In the Central District of California, Title 18, United States Code, Sections 1030(a)(5)(A), 1030(c)(4)(B)(i), and 2;

4. In the Eastern District of Virginia, Title 18, United States Code, Sections 1030(a)(5)(A), 1030(c)(4)(B)(i), and 2;

5. In the Northern District of Georgia, Title 18, United States Code, Sections 1030(a)(5)(A), 1030(c)(4)(B)(i), and 2;

being advised of the nature of the charges and of his rights, hereby waives, in open Court, prosecution by indictment in each of the foregoing districts and consents that the proceedings in each of the foregoing districts may be by information instead of by indictment.

The defendant further waives any right to a personal appearance, including an initial appearance pursuant to Federal Rule of Criminal Procedure 5, in each of the districts identified in subsections (2) through (5), above, with the understanding that the charges in each of those districts will be transferred, pursuant to Federal Rule of Criminal Procedure 20, to the Southern District of New York.

The defendant further waives any right he may have to separately appointed counsel in each of the districts identified in subsections (2) through (5), above, and consents to proceeding through Federal Defenders of New York, Inc., the attorneys appointed in the Southern District of New York to represent the defendant.

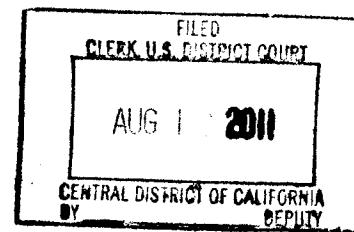
Arthur Mansoor
Defendant

Eiley Aar
Witness

Debra M. C.
Counsel for Defendant

Date: New York, New York
August 5, 2011

1 ANDRÉ BIROTTÉ JR.
2 United States Attorney
3 ROBERT E. DUGDALE
4 Assistant United States Attorney
5 Chief, Criminal Division
6 STEPHANIE S. CHRISTENSEN (Cal. Bar No. 236653)
7 ERIC D. VANDEVELDE (Cal. Bar No. 240699)
8 Assistant United States Attorneys
9 Cyber & Intellectual Property Crimes Section
10 1200 United States Courthouse
11 312 North Spring Street
12 Los Angeles, California 90012
13 Telephone: (213) 894-2576/3756
14 Facsimile: (213) 894-0141
15 E-mail: stephanie.christensen@usdoj.gov
16 eric.vandeveld@usdoj.gov



10 Attorneys for Plaintiff
11 UNITED STATES OF AMERICA

12 UNITED STATES DISTRICT COURT

13 FOR THE CENTRAL DISTRICT OF CALIFORNIA

CR 11 0766

14 UNITED STATES OF AMERICA,) No. CR 11-
15 Plaintiff,) CRIMINAL FILING
16 v.) [UNDER SEAL]
17 Defendant.)
18)
19)

20
21
22
23
24
25
26
27
28

29
30
31
32
33
34
35
36
37
38
39
40
41
42
43
44
45
46
47
48
49
50
51
52
53
54
55
56
57
58
59
60
61
62
63
64
65
66
67
68
69
70
71
72
73
74
75
76
77
78
79
80
81
82
83
84
85
86
87
88
89
90
91
92
93
94
95
96
97
98
99
100
101
102
103
104
105
106
107
108
109
110
111
112
113
114
115
116
117
118
119
120
121
122
123
124
125
126
127
128
129
130
131
132
133
134
135
136
137
138
139
140
141
142
143
144
145
146
147
148
149
150
151
152
153
154
155
156
157
158
159
160
161
162
163
164
165
166
167
168
169
170
171
172
173
174
175
176
177
178
179
180
181
182
183
184
185
186
187
188
189
190
191
192
193
194
195
196
197
198
199
200
201
202
203
204
205
206
207
208
209
210
211
212
213
214
215
216
217
218
219
220
221
222
223
224
225
226
227
228
229
230
231
232
233
234
235
236
237
238
239
240
241
242
243
244
245
246
247
248
249
250
251
252
253
254
255
256
257
258
259
260
261
262
263
264
265
266
267
268
269
270
271
272
273
274
275
276
277
278
279
280
281
282
283
284
285
286
287
288
289
290
291
292
293
294
295
296
297
298
299
300
301
302
303
304
305
306
307
308
309
310
311
312
313
314
315
316
317
318
319
320
321
322
323
324
325
326
327
328
329
330
331
332
333
334
335
336
337
338
339
340
341
342
343
344
345
346
347
348
349
350
351
352
353
354
355
356
357
358
359
360
361
362
363
364
365
366
367
368
369
370
371
372
373
374
375
376
377
378
379
380
381
382
383
384
385
386
387
388
389
390
391
392
393
394
395
396
397
398
399
400
401
402
403
404
405
406
407
408
409
410
411
412
413
414
415
416
417
418
419
420
421
422
423
424
425
426
427
428
429
430
431
432
433
434
435
436
437
438
439
440
441
442
443
444
445
446
447
448
449
450
451
452
453
454
455
456
457
458
459
460
461
462
463
464
465
466
467
468
469
470
471
472
473
474
475
476
477
478
479
480
481
482
483
484
485
486
487
488
489
490
491
492
493
494
495
496
497
498
499
500
501
502
503
504
505
506
507
508
509
510
511
512
513
514
515
516
517
518
519
520
521
522
523
524
525
526
527
528
529
530
531
532
533
534
535
536
537
538
539
540
541
542
543
544
545
546
547
548
549
550
551
552
553
554
555
556
557
558
559
560
561
562
563
564
565
566
567
568
569
570
571
572
573
574
575
576
577
578
579
580
581
582
583
584
585
586
587
588
589
590
591
592
593
594
595
596
597
598
599
600
601
602
603
604
605
606
607
608
609
610
611
612
613
614
615
616
617
618
619
620
621
622
623
624
625
626
627
628
629
630
631
632
633
634
635
636
637
638
639
640
641
642
643
644
645
646
647
648
649
650
651
652
653
654
655
656
657
658
659
660
661
662
663
664
665
666
667
668
669
670
671
672
673
674
675
676
677
678
679
680
681
682
683
684
685
686
687
688
689
690
691
692
693
694
695
696
697
698
699
700
701
702
703
704
705
706
707
708
709
710
711
712
713
714
715
716
717
718
719
720
721
722
723
724
725
726
727
728
729
730
731
732
733
734
735
736
737
738
739
740
741
742
743
744
745
746
747
748
749
750
751
752
753
754
755
756
757
758
759
760
761
762
763
764
765
766
767
768
769
770
771
772
773
774
775
776
777
778
779
770
771
772
773
774
775
776
777
778
779
780
781
782
783
784
785
786
787
788
789
790
791
792
793
794
795
796
797
798
799
800
801
802
803
804
805
806
807
808
809
8010
8011
8012
8013
8014
8015
8016
8017
8018
8019
8020
8021
8022
8023
8024
8025
8026
8027
8028
8029
8030
8031
8032
8033
8034
8035
8036
8037
8038
8039
8040
8041
8042
8043
8044
8045
8046
8047
8048
8049
8050
8051
8052
8053
8054
8055
8056
8057
8058
8059
8060
8061
8062
8063
8064
8065
8066
8067
8068
8069
8070
8071
8072
8073
8074
8075
8076
8077
8078
8079
8080
8081
8082
8083
8084
8085
8086
8087
8088
8089
8090
8091
8092
8093
8094
8095
8096
8097
8098
8099
80100
80101
80102
80103
80104
80105
80106
80107
80108
80109
80110
80111
80112
80113
80114
80115
80116
80117
80118
80119
80120
80121
80122
80123
80124
80125
80126
80127
80128
80129
80130
80131
80132
80133
80134
80135
80136
80137
80138
80139
80140
80141
80142
80143
80144
80145
80146
80147
80148
80149
80150
80151
80152
80153
80154
80155
80156
80157
80158
80159
80160
80161
80162
80163
80164
80165
80166
80167
80168
80169
80170
80171
80172
80173
80174
80175
80176
80177
80178
80179
80180
80181
80182
80183
80184
80185
80186
80187
80188
80189
80190
80191
80192
80193
80194
80195
80196
80197
80198
80199
80200
80201
80202
80203
80204
80205
80206
80207
80208
80209
80210
80211
80212
80213
80214
80215
80216
80217
80218
80219
80220
80221
80222
80223
80224
80225
80226
80227
80228
80229
80230
80231
80232
80233
80234
80235
80236
80237
80238
80239
80240
80241
80242
80243
80244
80245
80246
80247
80248
80249
80250
80251
80252
80253
80254
80255
80256
80257
80258
80259
80260
80261
80262
80263
80264
80265
80266
80267
80268
80269
80270
80271
80272
80273
80274
80275
80276
80277
80278
80279
80280
80281
80282
80283
80284
80285
80286
80287
80288
80289
80290
80291
80292
80293
80294
80295
80296
80297
80298
80299
80300
80301
80302
80303
80304
80305
80306
80307
80308
80309
80310
80311
80312
80313
80314
80315
80316
80317
80318
80319
80320
80321
80322
80323
80324
80325
80326
80327
80328
80329
80330
80331
80332
80333
80334
80335
80336
80337
80338
80339
80340
80341
80342
80343
80344
80345
80346
80347
80348
80349
80350
80351
80352
80353
80354
80355
80356
80357
80358
80359
80360
80361
80362
80363
80364
80365
80366
80367
80368
80369
80370
80371
80372
80373
80374
80375
80376
80377
80378
80379
80380
80381
80382
80383
80384
80385
80386
80387
80388
80389
80390
80391
80392
80393
80394
80395
80396
80397
80398
80399
80400
80401
80402
80403
80404
80405
80406
80407
80408
80409
80410
80411
80412
80413
80414
80415
80416
80417
80418
80419
80420
80421
80422
80423
80424
80425
80426
80427
80428
80429
80430
80431
80432
80433
80434
80435
80436
80437
80438
80439
80440
80441
80442
80443
80444
80445
80446
80447
80448
80449
80450
80451
80452
80453
80454
80455
80456
80457
80458
80459
80460
80461
80462
80463
80464
80465
80466
80467
80468
80469
80470
80471
80472
80473
80474
80475
80476
80477
80478
80479
80480
80481
80482
80483
80484
80485
80486
80487
80488
80489
80490
80491
80492
80493
80494
80495
80496
80497
80498
80499
80500
80501
80502
80503
80504
80505
80506
80507
80508
80509
80510
80511
80512
80513
80514
80515
80516
80517
80518
80519
80520
80521
80522
80523
80524
80525
80526
80527
80528
80529
80530
80531
80532
80533
80534
80535
80536
80537
80538
80539
80540
80541
80542
80543
80544
80545
80546
80547
80548
80549
80550
80551
80552
80553
80554
80555
80556
80557
80558
80559
80560
80561
80562
80563
80564
80565
80566
80567
80568
80569
80570
80571
80572
80573
80574
80575
80576
80577
80578
80579
80580
80581
80582
80583
80584
80585
80586
80587
80588
80589
80590
80591
80592
80593
80594
80595
80596
80597
80598
80599
80600
80601
80602
80603
80604
80605
80606
80607
80608
80609
80610
80611
80612
80613
80614
80615
80616
80617
80618
80619
80620
80621
80622
80623
80624
80625
80626
80627
80628
80629
80630
80631
80632
80633
80634
80635
80636
80637
80638
80639
80640
80641
80642
80643
80644
80645
80646
80647
80648
80649
80650
80651
80652
80653
80654
80655
80656
80657
80658
80659
80660
80661
80662
80663
80664
80665
80666
80667
80668
80669
80670
80671
80672
80673
80674
80675
80676
80677
80678
80679
80680
80681
80682
80683
80684
80685
80686
80687
80688
80689
80690
80691
80692
80693
80694
80695
80696
80697
80698
80699
80700
80701
80702
80703
80704
80705
80706
80707
80708
80709
80710
80711
80712
80713
80714
80715
80716
80717
80718
80719
80720
80721
80722
80723
80724
80725
80726
80727
80728
80729
80730
80731
80732
80733
80734
80735
80736
80737
80738
80739
80740
80741
80742
80743
80744
80745
80746
80747
80748
80749
80750
80751
80752
80753
80754
80755
80756
80757
80758
80759
80760
80761
80762
80763
80764
80765
80766
80767
80768
80769
80770
80771
80772
80773
80774
80775
80776
80777
80778
80779
80780
80781
80782
80783
80784
80785
80786
80787
80788
80789
80790
80791
80792
80793
80794
80795
80796
80797
80798
80799
80800
80801
80802
80803
80804
80805
80806
80807
80808
80809
80810
80811
80812
80813
80814
80815
80816
80817
80818
80819
80820
80821
80822
80823
80824
80825
80826
80827
80828
80829
80830
80831
80832
80833
80834
80835
80836
80837
80838
80839
80840
80841
80842
80843
80844
80845
80846
80847
80848
80849
80850
80851
80852
80853
80854
80855
80856
80857
80858
80859
80860
80861
80862
80863
80864
80865
80866
80867
80868
80869
80870
80871
80872
80873
80874
80875
80876
80877
80878
80879
80880
80881
80882
80883
80884
80885
80886
80887
80888
80889
80890
80891
80892
80893
80894
80895
80896
80897
80898
80899
80900
80901
80902
80903
80904
80905
80906
80907
80908
80909
80910
80911
80912
80913
80914
80915
80916
80917
80918
80919
80920
80921
80922
80923
80924
80925
80926
80927
80928
80929
80930
80931
80932
80933
80934
80935
80936
80937
80938
80939
80940
80941
80942
80943
80944
80945
80946
80947
80948
80949
80950
80951
80952
80953
80954
80955
80956
80957
80958
80959
80960
80961
80962
80963
80964
80965
80966
80967
80968
80969
80970
80971
80972
80973
80974
80975
80976
80977
80978
80979

1 ANDRÉ BIROTE JR.
2 United States Attorney
3 ROBERT E. DUGDALE
4 Assistant United States Attorney
5 Chief, Criminal Division
6 STEPHANIE S. CHRISTENSEN (Cal. Bar No. 236653)
7 ERIC D. VANDEVELDE (Cal. Bar No. 240699)
8 Assistant United States Attorneys
9 Cyber & Intellectual Property Crimes Section
10 1200 United States Courthouse
11 312 North Spring Street
12 Los Angeles, California 90012
13 Telephone: (213) 894-2576/3756
14 Facsimile: (213) 894-0141
15 E-mail: stephanie.christensen@usdoj.gov
16 eric.vandeveld@usdoj.gov

17 Attorneys for Plaintiff
18 UNITED STATES OF AMERICA

19 UNITED STATES DISTRICT COURT

20 FOR THE CENTRAL DISTRICT OF CALIFORNIA

21 UNITED STATES OF AMERICA,) No. CR 11-766
22 Plaintiff,) GOVERNMENT'S EX PARTE
23 v.) APPLICATION FOR ORDER SEALING
24 HECTOR XAVIER MONSEGUR,) CASE; DECLARATION OF STEPHANIE
25 aka "Sabu,") S. CHRISTENSEN
26 aka "Xavier DeLeon,")
27 aka "Leon,")
28 Defendant.)

29
30 The government hereby applies ex parte for an order that the
31 information and all related pleadings in the above-titled case be
32 kept under seal until further order of the Court.

33 ///
34 ///
35 ///

This ex parte application is based on the attached declaration of Stephanie S. Christensen.

Dated: August 4, 2011

Respectfully submitted,

ANDRÉ BIROTE JR.
United States Attorney

~~ROBERT E. DUGDALE
Assistant United States Attorney
Chief, Criminal Division~~

STEPHANIE S. CHRISTENSEN
ERIC D. VANDEVELDE
Assistant United States Attorneys

Attorneys for Plaintiff
UNITED STATES OF AMERICA

DECLARATION OF STEPHANIE S. CHRISTENSEN

I, Stephanie S. Christensen, hereby declare and state as follows:

1. I am an Assistant United States Attorney in the United States Attorney's Office for the Central District of California. I represent the government in the prosecution of United States v. Hector Xavier Monsegur.

2. Defendant Hector Xavier Monsegur ("defendant") was arrested on or about June 7, 2011.

10 3. Defendant is actively cooperating with the government
11 and has indicated an intent to continue working proactively with
12 the government. Defendant has provided the government with
13 detailed information concerning the activities of certain
14 individuals who are suspected of being involved in unauthorized
15 computer intrusions or "hacks" into various computer networks of
16 several well-known corporations.

17 4. The government anticipates that, after further
18 investigation, information provided by defendant may be used to
19 charge defendant's accomplices and other individuals identified
20 by defendant.

21 5. Although there is a qualified right of public access to
22 court documents, courts have recognized that documents may be
23 filed under seal to protect, among other things, a cooperating
24 defendant's safety or to further ongoing law enforcement efforts,
25 including grand jury investigations. See United States v. Cojab,
26 996 F.2d 1404, 1407-09 (2d Cir. 1993) (affirming sealing order);
27 United States v. Haller, 837 F.2d 84, 88 (2d Cir. 1988)
28 (affirming decision to seal that portion of a plea agreement that

1 referred to a defendant's ongoing cooperation); see also Fed. R.
2 Crim. Pro. 49.1(d) and (e) & advisory committee note (permitting
3 a court to order filings to be made under seal, and explicitly
4 listing, as examples, "motions for downward departure for
5 substantial assistance" and "plea agreements indicating
6 cooperation"). Courts have also recognized that even docketing
7 the applications to seal those materials could be prejudicial,
8 and in such cases the applications themselves and related notes
9 to the docket could be sealed. See United States v. Alcantara,
10 396 F.3d 189, 200 n.8 (2d Cir. 2005). Docketing this case under
11 "United States v. Under Seal" and sealing all filings in the case
12 is equivalent to making a sealed entry in the docket sheet.

13 6. Compelling security and law enforcement interests
14 support an order directing that filings and other docket entries
15 in this case be made under seal. The investigative targets who
16 are the subject of defendant's cooperation include certain
17 computer "hackers" who are known to the FBI to, among other
18 things, monitor public court dockets. The FBI further informs me
19 that it appears these hackers are aware of defendant's true
20 identity, although he often communicates with them using a
21 nickname or online personality. Accordingly, were the sealing
22 request denied and defendant's true name publicly revealed on the
23 docket, it is likely that the hackers would become aware that
24 defendant had been arrested, thus preventing defendant from
25 further proactive cooperation. Moreover, the FBI has informed me
26 that the hackers are known to take steps against those who
27 cooperate with the government. Among other things, the hackers
28 may "dox" an individual who is cooperating, as well as that

1 individual's family members -- meaning that the hackers will
2 publish online the personal identification information of the
3 cooperator and that cooperator's family members. The publicly
4 available information may then be used to harass the cooperator
5 and the cooperator's family in a variety of ways. This obviously
6 creates danger for the cooperator, the cooperator's family, and
7 law enforcement. Exposure of defendant's cooperation would
8 jeopardize substantial ongoing investigations into defendant's
9 former co-conspirators, several of whom are suspected of carrying
10 out substantial computer hacks against several businesses. An
11 order sealing filings and other docket entries in this case would
12 greatly reduce the risk that defendant's ongoing cooperation with
13 the government will be exposed, and will help ensure defendant's
14 safety.

15 7. Defendant's cooperation (and the charges against
16 defendant) will not be kept sealed indefinitely, however. The
17 government anticipates that, once defendant's cooperation leads
18 to the arrest and prosecution of the targets of this
19 investigation, the filings in this case may be unsealed, and the
20 docket sheet could reflect the true caption of this case. At
21 that time, the government will seek an order unsealing the
22 filings of this case, and restoring the true caption of the case
23 to the docket sheet.

24 8. Accordingly, the government requests that filings and
25 other docket entries in this case, including this declaration and
26 any order issued in connection with it, be filed under seal, and
27 that the case be captioned "United States v. Under Seal" in the
28 public docket, until further order of the court.

1 I declare under penalty of perjury that the foregoing is
2 true and correct to the best of my knowledge and belief.

3 Executed this August 1, 2011, at Los Angeles, California.

4

5

6 STEPHANIE S. CHRISTENSEN
7 Assistant United States Attorney

8

9

10

11

12

13

14

15

16

17

18

19

20

21

22

23

24

25

26

27

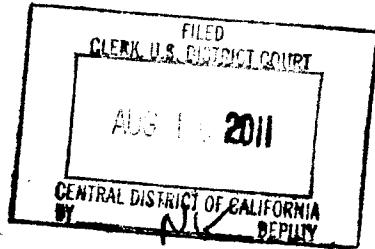
28

In the United States District Court

for the Central District of California

UNITED STATES
DOCKET NO. 3:11-cr-00666-LAP
United States of America
vs.
Hector X. Monsegur
2011 AUG 8 3:48 PM
Hector X. Monsegur

Criminal No.



Consent to Transfer of Case

for Plea and Sentence

(Under Rule 20)

I, Hector X. Monsegur, defendant, have been informed that a Information (indictment, information, complaint) is pending against me in the above designated cause. I wish to plead guilty (guilty, nolo contendre) to the offense charged, to consent to the disposition of the case in the Southern District of New York in which I am under arrest (am under arrest, am held) and to waive trial in the above captioned District.

Dated: August 8th, 2011, at New York, NY

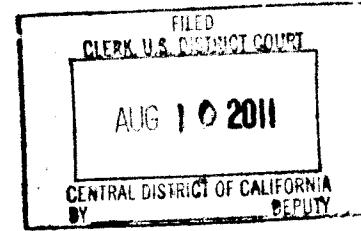
Hector X. Monsegur
(Defendant)
Andre Birotte Jr.
(Witness)

Preet Bharara
(Counsel for Defendant)

Approved

Andre Birotte Jr.
Andre Birotte Jr.

Preet Bharara
Preet Bharara
James Pastore



1 ANDRÉ BIROTTÉ JR.
2 United States Attorney
3 ROBERT E. DUGDALE
4 Assistant United States Attorney
5 Chief, Criminal Division
6 STEPHANIE S. CHRISTENSEN (Cal. Bar No. 236653)
7 ERIC D. VANDEVELDE (Cal. Bar No. 240699)
8 Assistant United States Attorneys
9 Cyber & Intellectual Property Crimes Section
10 1200 United States Courthouse
11 312 North Spring Street
12 Los Angeles, California 90012
13 Telephone: (213) 894-2576/3756
14 Facsimile: (213) 894-0141
15 E-mail: stephanie.christensen@usdoj.gov
16 eric.vandeveld@usdoj.gov

17 Attorneys for Plaintiff
18 UNITED STATES OF AMERICA

19 UNITED STATES DISTRICT COURT

20 FOR THE CENTRAL DISTRICT OF CALIFORNIA

21 UNITED STATES OF AMERICA,) No. CR 11- CR11 0766
22 Plaintiff,) [PROPOSED] ORDER SEALING CASE
23 v.)
24 UNDER SEAL,) [UNDER SEAL]
25 Defendant.)
26)
27)
28)

29 For good cause shown, IT IS HEREBY ORDERED THAT:

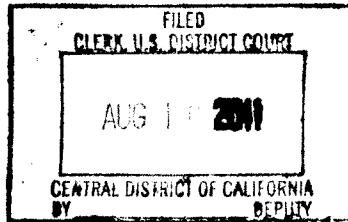
30 The information and all pleadings in the above-titled case,
31 the government's sealing application, and this order shall be
32 kept under seal until further order of the Court.

33 DATED: August 10, 2011

34 JACQUELINE H. NGUYEN

35 UNITED STATES MAGISTRATE JUDGE

36 UNDER SEAL



Memorandum

Subject:

United States v. Hector Xavier Monsegur

Date:

August 8, 2011

CR 11 0766

To:

From:

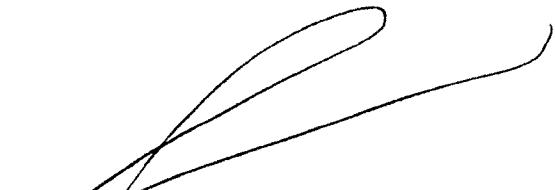
TERRY NAFISI
District Court Executive
United States District Court
Central District of California

STEPHANIE S. CHRISTENSEN
Assistant United States Attorney
Criminal Division

Please note that I worked as a law clerk for United States District Judge Gary A. Feess from October 2004 to October 2005. Judge Feess has a standing order not to allow former law clerks to appear before him.

I have worked on, and have been assigned, the above-referenced criminal action, United States v. Monsegur, being filed on or about August 8, 2011.

Accordingly, please ensure that the above-referenced criminal action is not assigned to Judge Feess. Thank you for your assistance.


STEPHANIE S. CHRISTENSEN
Assistant United States Attorney

UNDER
SEAL

Memorandum

Subj: <u>UNITED STATES v. HECTOR XAVIER MONSEGUR</u>	Date: August 8, 2011
	CR11 0766

To: TERRY NAFISI
Clerk, United States District Court
Central District of California

From: Stephanie S. Christensen
Eric D. Vandevelde
Assistant United States Attorneys
Criminal Division

The accompanying matter being filed on August 8, 2011,

 relates to x does not relate to

(1) a matter pending in the Criminal Division of the USAO at any time between October 2002 and October 5, 2003, the dates during which Jacqueline Chooljian was Chief of the Criminal Division in the USAO; (2) a matter pending in the Major Frauds Section of the USAO at any time between October 5, 2003 and January 6, 2006, the date on which Jacqueline Chooljian resigned her appointment in the USAO; or (3) a matter in which Jacqueline Chooljian was personally involved or on which she was personally consulted while employed in the USAO.

 relates to x does not relate to

a matter in which Patrick J. Walsh was personally involved or on which he was personally consulted while employed in the USAO.

 relates to x does not relate to

(1) a matter pending in the Riverside Branch of the USAO at any time between October 2, 2006 and April 4, 2011, the dates spanning the date when Sheri Pym became the Chief of the Riverside Branch of the USAO and the date when she resigned her appointment in the USAO; or (2) a matter in which Sheri Pym was personally involved or on which she was personally consulted while employed in the USAO.

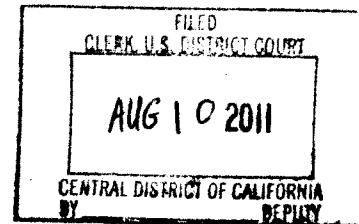
 relates to x does not relate to

(1) a matter pending in the Major Frauds Section of the USAO at any time between May 8, 2009 and March 31, 2011, the dates spanning the date when Michael Wilner became a Deputy Chief of the Major Frauds Section of the USAO and the date when he resigned his appointment in the USAO; or (2) a matter in which Michael Wilner was personally involved or on which he was personally consulted while employed in the USAO.

UNDER SEAL

STEPHANIE S. CHRISTENSEN
ERIC D. VANDEVELDE
Assistant United States Attorneys

1 UNDER SEAL



1 that was used in interstate and foreign commerce and
2 communications, specifically, the servers of Sony Pictures
3 Entertainment ("Sony Pictures"), located in El Segundo,
4 California, thereby causing loss to Sony Pictures aggregating to
5 at least \$5,000 in value during the calendar year 2011.

6

7

8

9

10

11

12

13

14

15

16

17

18

19

20

21

22

23

24

25

26

27

28

1 COUNT TWO

2 [18 U.S.C. §§ 1030(a)(5)(A), (c)(4)(B)(i), and 2]

3 In or about 2011, in the Central District of California, the
4 Southern District of New York, and elsewhere, defendant HECTOR
5 XAVIER MONSEGUR, also known as ("aka") "Sabu," aka "Xavier
6 DeLeon," aka "Leon" ("defendant"), knowingly caused the
7 transmission of a program, information, code, and command, and,
8 as a result of such conduct, intentionally caused damage without
9 authorization by impairing the integrity and availability of
10 data, a program, a system, and information on a computer system
11 that was used in interstate and foreign commerce and
12 communications, specifically, the servers of Fox Broadcasting
13 Company ("Fox"), located in Los Angeles, California, thereby
14 causing loss to Fox aggregating to at least \$5,000 in value
15 during the calendar year 2011.

16
17 ANDRÉ BIROTTÉ JR.
18 United States Attorney

19 

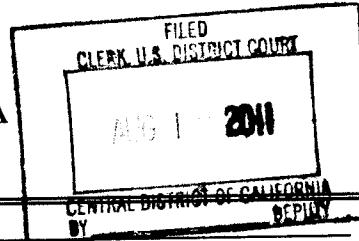
20 ROBERT E. DUGDALE
21 Assistant United States Attorney
Chief, Criminal Division

22 WESLEY L. HSU
23 Assistant United States Attorney
Chief, Cyber and Intellectual
Property Crimes Section

24 STEPHANIE S. CHRISTENSEN
25 ERIC D. VANDEVELDE
26 Assistant United States Attorneys
Cyber and Intellectual Property
Crimes Section

UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

CASE SUMMARY



Case Number CR 11 0766
 U.S.A. v. Hector Xavier Monsegur
 Indictment Information

Defendant Number 1Year of Birth 1983Investigative agency (FBI, DEA, etc.) FBI

NOTE: All items are to be completed. Information not applicable or unknown shall be indicated as "N/A".

OFFENSE/VENUE

a. Offense charged as a:

Misdemeanor Minor Offense Felony
 Petty Offense Class B Misdemeanor

b. Date of offense _____

c. County in which first offense occurred _____

d. The crimes charged are alleged to have been committed in:

CHECK ALL THAT APPLY

Los Angeles Ventura
 Orange Santa Barbara
 Riverside San Luis Obispo
 San Bernardino Other _____

Citation of offense 18 USC 1030(a)(5)(A), 2**RELATED CASE**

Has an indictment or information involving this defendant and the same transaction or series of transactions been previously filed and dismissed before trial? No Yes

IF YES Case Number _____

Pursuant to Section 11 of General Order 08-05, criminal cases may be related if a previously filed indictment or information and the present case:

- arise out of the same conspiracy, common scheme, transaction, series of transactions or events; or
- involve one or more defendants in common, and would entail substantial duplication of labor in pretrial, trial or sentencing proceedings if heard by different judges.

Related case(s), if any: **MUST MATCH NOTICE OF RELATED CASE** _____

PREVIOUSLY FILED COMPLAINT

A complaint was previously filed on: _____

Case Number _____
 Charging _____

The complaint: is still pending was dismissed on: _____**COMPLEX CASE**

Are there 8 or more defendants in the Indictment/Information?

Yes* No

Will more than 12 days be required to present government's evidence in the case-in-chief?

Yes* No

***AN ORIGINAL AND 3 COPIES (UNLESS ELECTRONICALLY FILED) OF THE NOTICE OF COMPLEX CASE MUST BE FILED 2 BUSINESS DAYS BEFORE THE ARRAIGNMENT IF EITHER YES BOX IS CHECKED.**

Superseding Indictment/InformationIS THIS A NEW DEFENDANT? Yes NoThis is the _____ superseding charge, i.e. 1st, 2nd.

The superseding case was previously filed on: _____

Case Number _____

The superseded case:

 is still pending before Judge/Magistrate Judge was previously dismissed on _____

Are there 8 or more defendants in the superseding case?

Yes* No

Will more than 12 days be required to present government's evidence in the case-in-chief?

Yes* No

Was a Notice of Complex Case filed on the Indictment or Information?

Yes No

***AN ORIGINAL AND 3 COPIES OF THE NOTICE OF COMPLEX CASE MUST BE FILED 2 BUSINESS DAYS BEFORE THE ARRAIGNMENT IF EITHER YES BOX IS CHECKED.**

Is an interpreter required: Yes No
 IF YES, list language and/or dialect: _____

**UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA**
CASE SUMMARY

OTHER

Male Female
 U.S. Citizen Alien

Alias Name(s) Sabu, Xavier DeLeon, Leon

This defendant is charged in: All counts
 Only counts:
 This defendant is designated as "High Risk" per 18 USC 3146(a)(2) by the U.S. Attorney.
 This defendant is designated as "Special Case" per 18 USC 3166(b)(7).

Is defendant a juvenile? Yes No
 If YES, should matter be sealed? Yes No

The area of substantive law that will be involved in this case includes:

financial institution fraud public corruption
 government fraud tax offenses
 environmental issues mail/wire fraud
 narcotics offenses immigration offenses
 violent crimes/firearms corporate fraud
 Other: computer fraud

CUSTODY STATUS

Defendant is not in custody:

- a. Date and time of arrest on complaint: _____
- b. Posted bond at complaint level on: _____ in the amount of \$ _____
- c. PSA supervision? Yes No
- d. Is a Fugitive Yes No
- e. Is on bail or release from another district: _____
- f. Has not been arrested but will be notified by summons to appear.
- g. Warrant requested. Yes No

Defendant is in custody:

- a. Place of incarceration: State Federal
- b. Name of Institution: _____
- c. If Federal: U.S. Marshal's Registration Number: _____
- d. Solely on this charge. Date and time of arrest: _____
- e. On another conviction: Yes No
 IF YES State Federal Writ of Issue
- f. Awaiting trial on other charges: Yes No
 IF YES State Federal AND
 Name of Court: _____

Date transferred to federal custody: _____

This person/proceeding is transferred from another district pursuant to F.R.CrP. 20 21 40

EXCLUDABLE TIME

Determinations as to excludable time prior to filing indictment/information EXPLAIN: _____

Date 6/8/11

Stephanie S. Christensen
 Signature of Assistant U.S. Attorney

Stephanie S. Christensen
 Print Name